

At 10 A. M. Daily

the finest train going east

Overland Limited

leaves San Francisco

Chicago in 3 Days

Send for time-tables and other matter giving full information regarding all Transcontinental Flyers of the Southern Pacific. The best in luxury-giving and speed-making trains. Send now and you will receive the information by return steamer.

INFORMATION BUREAU
613 Market St., San Francisco.
Southern Pacific



There are half a dozen good reasons why you should get my estimate on house painting before you hand out your contract.

Chief among them is the fact that I can give you a low estimate and a good enduring job.

My best references are the houses I have painted. Let me point out a few of them to you if you have any doubts about my ability to please you and at the same time save you money.

Stanley Stephenson,
THE PAINTER.

Going East?

IF SO, WHY NOT USE
THE ONLY DOUBLE TRACK
RAILWAY between the Missouri River
and Chicago.

THREE TRAINS DAILY
VIA THE SOUTHERN PACIFIC
UNION PACIFIC AND CHICAGO
& NORTHWESTERN RYS.

Overland Limited, Vestibuled.
Leaves San Francisco at 10:00 a. m.
The most Luxurious Train in the World.
Electric Lighted Throughout. Buffet
smoking cars with barber and bath.
Booklovers Library, Dining Cars, Stand-
ard and Compartment Sleeping Cars and
Observation Cars. Less than three days
to Chicago without change.

Eastern Express, Vestibuled.
Leaves San Francisco at 6:00 p. m.
Through Standard and Tourist Sleeping
Cars to Chicago. Dining Cars. Free
Reclining Chair Cars.

Atlantic Express, Vestibuled.
Leaves San Francisco at 9:00 a. m.
Standard and Tourist Sleepers.

Personally Conducted Excursions
Wednesdays, Thursdays and Fridays.
The best of everything.

R. R. RITCHIE,
Ry., 617 Market Street (Palace Ho-
tel), San Francisco.

JUST RECEIVED

Another car load of **HIGH GRADE**
PIANOS; special prices until Christmas.
They can be seen at the Coyne Furni-
ture Co.

J. W. HALL

Handsome Furniture Came Late

It was intended for the Holidays,
but just arrived in the bark "Santi-
ago."

Hence we will sell it at greatly re-
duced prices, beginning Tuesday,
January 3.

Parlor and Rocking Chairs, Morris
Chairs, Bedroom Sets, Etc.

Porter Furniture Co.
ALEXANDER YOUNG BLDG.

HAIR CLEANING AND DYEING WORKS

Fort Street, opposite Star Block.
LADIES' AND GENTS' CLOTHING
CLEANED AT LOWEST
PRICES.
Phone White 2362.

The Miller Candy Co.

Will open today with a full line of
Fresh Home Made Candies across the
street from the restaurant, Hotel Street

Phone and see the Candy Made.

Y. MAN SING

1117 NUUANU STREET.

**FASHIONABLE DRESS-
MAKER.**

LADIES' UNDERWEAR.

Dresses made to order. Sewing guar-
anteed. If the stitches break I will
repair without extra charge.

GRAND JURY ONCE MORE

New Body Gets Orders and Goes to Work.

The new Territorial Grand Jury was impaneled by Judge Robinson yesterday morning, all save those who had been properly excused being on hand except Kolomoku. For him a bench warrant was issued. The jury, as it was finally constituted, consists of I. Livingston (foreman), A. J. Smithies, Fred Goudie, Pierre Jones, E. L. Doyle, Albion F. Clark, T. H. Kennedy, Manuel Leal, A. H. Jones, J. P. Mendiola, Pat McGrath, A. E. Murphy, Charles Schoellkopf, I. Rubinstein, A. L. Lungren, F. L. Johnson, Hiram Kolomoku, J. H. Defries.

W. H. Hoogs and F. S. Dodge were excused for the term. Juror Goudie was excused until the 30th, Juror Defries until February 17, and Juror Rubinstein for a week.

After the jurors had been sworn in they were charged by Judge Robinson as follows:

Gentlemen of the Grand Jury: You have been summoned before this court to serve and act as Grand Jurors and to constitute a Grand Jury in this circuit, at the present term of this court, in compliance with and in obedience to the mandate contained in the fifth amendment to the Constitution of the United States expressed in these words: "No person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger."

It is your duty, under your oaths as Grand Jurors, to diligently inquire into and true presentment make of all such matters and things as shall be given you in charge, or that may come to your knowledge touching this present service. Included within the scope of your duties as Grand Jurors are those matters to which the court shall direct your attention, or which may be submitted to your consideration by the Attorney General or his deputy, as also all other matters which shall come to your knowledge, that is, such knowledge as is acquired from and based upon the evidence adduced before you, or from your own personal observation, and not the information derived from unaided report.

Because of the partial character of your investigations in hearing only, and arriving at conclusions solely upon the testimony of those who are interested or likely to be interested in securing the indictment of persons charged with the commission of public offenses, I cannot charge you too strongly to weigh well the testimony and evidence adduced before you before finding and bringing in an indictment against any person charged with the commission of a public offense within this circuit. Ignorant, unscrupulous and vindictive persons are prone to resort to this branch of the judicial power to endeavor to procure the presentment or indictment of an innocent person, charging him with the commission of a public offense as a means to an end in the gratification of a personal spite or in avenging some private wrong by an exaggeration of existing facts or by actual perjury.

It is the province and duty of a Grand Jury, as well as that of a trial jury, to carefully scan the testimony of a witness appearing before it in order to arrive at a correct conclusion as to its truth or falsity, and in arriving at this conclusion you are at liberty to take into consideration not only the statements of the witness, but his manner of testifying and his appearance on the stand, as well as the inherent probability or improbability of his testimony.

In this jurisdiction it is your duty to disregard and ignore any charge imputing to any person the commission of a public offense, unless you find that there is probable cause to believe that a trial jury would, upon the evidence adduced, weighed and considered in the manner that I have indicated, convict the accused of the offense charged. At the common law and under our practice as well, the oath of one credible witness, testifying to the existence of such a fact, is sufficient in all cases, except treason and perjury, to prove any fact in issue. Additional evidence of the same kind, tending to prove the same fact, is cumulative evidence and additional evidence of a different kind tending to prove the same fact is corroborative evidence. Cumulative evidence is always objectionable and however necessary or desirable corroborative evidence may be in the actual trial of a criminal cause before a trial jury, it has no place in the unilateral and ex parte investigations of a Grand Jury. The production of more than one witness to prove a given fact or state of facts, if you give the testimony of such witness full weight and credit, and which alone would, in your judgment, justify you in finding that there is probable cause to believe that a trial jury would convict the accused upon the crime charged, is an unnecessary and unreasonable tax upon the time and patience of Grand Jurors and the imposition of an unjustifiable cost upon the taxpayers of this circuit, because and by reason of the additional time uselessly consumed and additional expense needlessly incurred. If, therefore, in any matter brought before you for investigation, you are satisfied, upon the conclusion of the testimony of any one witness, or at any other time or stage of the investigation, that the evidence before you is sufficient to justify you in finding that there is prob-

able cause to believe that a trial jury would convict the accused of the crime charged, it is your duty to so advise the Attorney General or his deputy, in order that your sessions may not be needlessly protracted by the calling of additional witnesses or by the production of additional testimony.

The usual method of initiating proceedings in a criminal case is by what is called a "preliminary examination" of the accused before a magistrate, where he can be confronted by his accuser, cross-examine him and also the witnesses produced by him, and have the benefit of counsel. This method presents to the citizen the greatest security against false accusations, and ought not to be departed from unless the public welfare demands such departure.

Your oath advises you of the impartial spirit in which your duties should be discharged. You are to present no one from envy, hatred or malice; nor shall you leave any one unprotected for fear, favor, affection, gain, reward or hope thereof, but will present all things truly as they come to your knowledge, according to the best of your understanding.

As allusion has been made to a presentment or indictment by a grand jury, I consider it advisable to briefly call your attention to the distinction between a presentment and an indictment. An indictment is a formal accusation made by the grand jury charging a person with the commission of a public offense, while a presentment is an informal accusation usually found by the grand jury upon their own knowledge, or upon the evidence before them. A presentment is wanting in technical form and has fallen into disuse since the practice has prevailed for the prosecuting officer to attend the grand jury and advise them in their investigations.

Gentlemen, the Attorney General, or his deputy, will examine all witnesses who may appear before you, but you may also examine such witnesses if you deem it necessary. You must exclude all persons, including the Attorney General, or his deputy, from your presence and hearing while you are deliberating and voting upon any question which may have been brought before you. During the deliberations and vote of the grand jury, no person, not a member of the grand jury, may be present. An indictment found by you may be set aside if this rule is violated.

It is the duty of the Attorney General or his deputy, to advise you as to the law applicable to any particular state of facts involved in any matter pending before you. If, in any case, you find an indictment, it will be the duty of the Attorney General, or his deputy, to prepare it for you at your request.

You will hear the witnesses for the prosecution, or as many of such witnesses as you may deem expedient or necessary, and if, in your judgment, keeping in mind the instructions of the court in reference to the consideration to be given to the testimony of each witness, the evidence of such witnesses, unexplained and contradicted, would warrant a conviction by a trial jury, it will be your duty to find an indictment. You will not permit accused persons, or their attorneys or witnesses, to appear before you or permit them, or any other person whomsoever, to speak to you on the street or elsewhere in regard to any matter or thing you may be investigating or have under consideration. The oath which you have taken obliges you to keep all of your proceedings secret and you should constantly keep in mind the obligation of your oath. It is the policy of the law that inquiry on the part of a grand jury as to the innocence or guilt of a person accused of crime should be secretly conducted. As was well said by an eminent jurist in a reported charge to a grand jury, "Great injustice and injury might be done to the good name and standing of a citizen, if it were known that there ever had been before you for consideration the question of his guilt or innocence of a public offense." At the common law a grand jury disclosing evidence before the jury, was made an accessory to the offense, if a felony other than treason, or if treason, a principal.

While it is your privilege and right to inquire into the management and conduct of public institutions, situated in this circuit, under Territorial control, it is not your duty to do so unless some specific charge of gross mismanagement or malfeasance in office on the part of the officers or employees of some particular institution is called to your attention.

Immediately after the jury had been charged, it retired to the throne room at the Capitol building, so lately vacated by its predecessor, and went to work. It is expected that it will make a general criminal clean up.

MANDAMUS AGAINST HOLLOWAY.

Before Judge Robinson yesterday, the hearing of the alternative writ of mandamus in the case of the Hawaiian Dredging Company against Superintendent of Public Works Holloway was begun. Walter Dillingham, president of the company, took the stand and gave testimony with regard to the contracts and the conversations which he and Holloway had had on the subject. He stated that he had been told by Holloway that the work should be paid for from cash on hand and current funds but the specific act of legislation had never been named. After the signing of the contract the company spent over \$3000 for the specific purpose of dredging section 3 of the harbor. A letter had been received from Holloway, about a week after the signing of the contract, in which Holloway told the company to keep the work on section 3 within a limit of \$3000. As the company was then working on section 1, which, it was understood, should be completed first, no particular attention was paid to this letter. Later on when the matter was brought up again Holloway and Howland told Dillingham that they could not see why the Territory should do dredging which the Federal government should pay for.

CALENDAR OF CRIME

Judge Robinson Calls and Sets Many Noted Cases.

After he had charged the grand jury yesterday, Judge Robinson proceeded to call the criminal calendar. The first case called was that of Edward Mitchell Jones, charged with the murder of his wife. A. G. M. Robertson wanted the case continued for two weeks. The Judge favored a continuance of one week only, as the selection of a jury would probably take a week, anyway. Attorney General Andrews said a postponement for two weeks would throw the whole calendar out, and then Judge Robinson set the case for January 15.

The case of Solomon Meheula was called. Andrews said that Ashford appeared for the defendant and wanted to have all his cases continue until he came back from Kona at the end of the month. When the case of Tokuda was called J. W. Cathcart made the same excuse, and the cases of these two attorneys were all passed temporarily.

The two embezzlement cases of Stephen Mahaulu were passed temporarily. Attorney Frank Thompson had his name withdrawn as counsel for the defendant and these cases were passed temporarily.

In the five cases of the Territory vs. Benjamin H. Wright, embezzlement, the Attorney General entered a nolle prosequi.

The five cases of E. Vivian Richardson were called. On motion by Andrews they were passed until tomorrow at 10 a. m. to take the plea.

The four cases of E. S. Boyd, embezzlement, were continued for the term.

J. J. Dunne asked that the case of Philip D. Naone, murder, be passed for the present as it would otherwise probably interfere with the Jones case. It was passed temporarily.

The case of Geneau, the sailor charged with murder of Ulysses Harris, was passed until after Jan. 17. Attorney Douthitt stated that Lieut. Cuntz would, according to a cablegram from the Secretary of the Navy, arrive here to testify in the case in that time.

Nolle prosequi were entered in the three embezzlement cases of Frank Woodbridge.

The case of Eugenio Arroyo, charged with murder, was, in spite of the protest by Leon Strauss, placed on the calendar as ready in order.

The cases of Ah On and McDuffie, both charged with bribery, were already in their order.

The five cases of Harry C. Mossman, charged with embezzlement, and the two extortion cases of Cnas. F. Chillingworth, were ready in their order. Attorney Frank Thompson said that he had asked for a severance in the case of Chillingworth and Ahoo, charged with extortion. The Attorney General had not as yet decided whether he would grant this amicably.

The cases of Kahilallau, charged with murder, Jas. Kupheas, charged with election fraud, and several other cases in which A. M. Brown appeared, were passed temporarily, as counsel wanted to go to Kailua for the term there.

The case of Henry Vierra, charged with embezzlement, was passed temporarily.

Ah Lum, charged with conducting a lottery, had no attorney. E. M. Watson was assigned to represent him.

The three cases of Jas. E. Fullerton, charged with gross cheat, assault and battery and malicious injury, were ready.

The cases of J. K. Nakookoo and Stephen Umauma, charged with larceny, were ready.

It has not as yet been settled which case the court will take up tomorrow. It will probably be one of the cases of Chung Hing, Ah Kap, Tom Sing, Man Leab, alias Chew Tuck, Ung Hing, Cheng Chow and Ah Naw, who are charged jointly on four charges of burglary. The defendants constitute the gang which is alleged to have made the city and its vicinity uncomfortable by the perpetration of a series of crimes about a year ago.

COURT NOTES.

Arthur Harrison, a native of Great Britain who has resided in the United States for the past twenty years, was naturalized by Judge Dole in the United States District Court yesterday.

Judge Dole of his own motion yesterday continued the leper habeas corpus case until next Thursday morning at 9 o'clock.

District Magistrate Whitney will decide today whether the Pacific Club must take out a license to sell liquors.

In the Supreme Court yesterday, the motion for an order to the clerk to pay money in the case of Chang Kim vs. C. Lai Yung was submitted on briefs.

The Supreme Court has continued to next term the motion to strike the transcript of evidence from the record in the case of Sydney M. Ballou vs. the Mutual Telephone Co.

The Supreme Court has granted the motion to advance the case of H. Hackfeld & Co. vs. W. C. Achi, and also the motion to dismiss the case of Wolters vs. Goegas.

Judge Robinson has appointed the following interpreters for the new term of court: William Crawford, Chinese interpreter; George Yamada, Japanese interpreter; M. J. Cabral, Portuguese interpreter.

He—"Do you remember your old school friend, Sophy Smythe?" She—"Yes, indeed, I do. A most absurd-looking thing. So silly, too! What became of her?" He—"Oh, nothing. Only—I married her."—Boston Globe.

Auction Sale

FRIDAY, JAN. 6, 1905,
10 O'CLOCK A. M.

At my salesrooms, 847 Kaahumanu street.

Regular Friday Sale

Furniture,
Produce,
Case Goods,
Show Cases,
Pictures,
Dry Goods,
Shoes, etc., etc.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

FRIDAY, JAN. 6, 1905,
10 O'CLOCK A. M.

Scribbling Tablets Writing Tablets

I will sell at my salesrooms on above date.
One case scribbling tablets,
One case writing tablets.
New goods, just arrived.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

FRIDAY, JAN. 6, 1905,
10 O'CLOCK A. M.

At my salesrooms, 847 Kaahumanu street.
I will sell as above
Twenty-five dozen boots and shoes—
case lots.

JAS. F. MORGAN,
AUCTIONEER.

Mortgagee's Foreclosure Sale

SATURDAY, JAN. 7, 1905,
12 O'CLOCK NOON.

Fine Property at Kalihi
House of 7 rooms,
Three-fourths acre of land.
At my salesrooms, 847 Kaahumanu street.

JAS. F. MORGAN,
AUCTIONEER.

Commissioners' Sale

REAL ESTATE AT KALUAPALENA,
KALIHU

AREA 6865 SQ. FEET.

Front entrance Judiciary building

SATURDAY, JAN. 7, 1905,
12 O'CLOCK NOON.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

Delinquent Stock

McBryde Sugar Co., Ltd.

WEDNESDAY, JAN. 11, 1905,
AT 12 O'CLOCK NOON.

At my salesrooms, 845 Kaahumanu Street, Honolulu, I will sell at public auction, by order of the treasurer, Mr. F. M. Swamy, the following certificates of stock in the McBryde Sugar Company, Ltd., unless the delinquent assessments with interest thereon and advertising expenses are paid on or before the day and hour of the sale at the office of T. H. Davies & Co., Ltd., Honolulu:

Certificate.	Shares.
63	1
269	1
274	1
337	3
820	42
955	25
956	25
1249	50
1254	50
1648	1050
1749	25
1807	27
1826	3
1831	2
2687	5
2738	6
2740	2
202	3
898	90

JAS. F. MORGAN,
AUCTIONEER.

Castle & Cooke, Ltd

HONOLULU.

COMMISSION MERCHANTS

SUGAR FACTORS.

—AGENTS FOR—

The Ewa Plantation Co.
The Wai'alua Agricultural Co., Ltd.
The Kohala Sugar Co.
The Waimea Sugar Mill Co.
The Fulton Iron Works, St. Louis.
The Standard Oil Co.
The George F. Blake Steam Pump.
Weston's Centrifugals.
The New England Mutual Life Insurance Co., of Boston.
The Aetna Insurance Co., of Hartford, Conn.
The Alliance Assurance Co., of London.



The Expert Dentist

For Honest Work at Low Prices.
F. L. FERGUSON, D. D. S.
Manager.

No. 215 Hotel Street, in front of Young Building.

Gillman House Boquet Cigars BEAVER LUNCH ROOMS

H. J. HOLT.

Harrison Mutual Burial Association of Honolulu

Has over 2,800 members. Has buried 102 members during the two years since its organization. \$4.50 entitles you to a certificate in Class A, entitling you to all its benefits.

J. H. TOWNSEND, Secretary.

W. W. AHANA & CO.

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Manufacturers of Straw Hats.

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HOTEL STREET.

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Straw Hat Manufacturers.

Robinson Block. 23 to 32 Hotel St.

Roofs Repaired

BY
WM. T. PATY.

Carpentry of all kinds attended to.
Give us a call.

AH PAT & CO.

103 South King, near Alakea.
MERCHANT TAILORS.
Expert cutter, formerly with J. D. Tregloan. Cleaning and repairing a specialty.

G. W. LINCOLN

Contractor and Builder

No. 916

ALAKEA STREET.

A FINE NEW ASSORTMENT—
Direct from China.

GRASS LINEN

in all colors
also embroidered pieces for Shirts, etc.
Kwong Yuen Hing Co.
36 and 38 N. King Street.

COURTEOUS TREATMENT.
PROMPT ATTENTION.
BEST QUALITY AND LOTS MORE

AT

CONSOLIDATED SODA WATER WORKS

PHONE MAIN 71.

COTTON BROS. & CO.

ENGINEERS AND GENERAL CONTRACTORS.

Plans and Estimates furnished for all classes of Contracting Work.

Boston Block, : : : Honolulu.

ALL KINDS OF RUBBER GOODS

Goodyear Rubber Co.

R. H. PEASE, President.
San Francisco, Cal., U. S. A.